

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application.

SPECIFICATION

The title has been amended as requested by the Examiner in paragraph 2 of the outstanding Office Action. The abstract has been amended as requested by the Examiner in paragraph 3 of the outstanding Office Action. The specification has been arranged as requested by the Examiner in paragraph 4 of the outstanding Office Action.

CLAIMS

Following the Office's initiative, claims 7-16 have been renumbered as claims 21-30 and will be referred to as claims 21-30 hereafter. Claims 21, 25 and 29 have been amended to overcome formal objections and to speed up the procedure. Claims 27-28 have been cancelled.

Claim Objections

Claim objections raised by the Examiner in paragraphs 6-8 are felt to be overcome by deleting the word "itself" in claims 21 and 29, by defining a proper antecedent basis for the "second wheel" of claims 21 and 29, and by replacing "movable element" with "movable plate" throughout claims 21-26 and 29-30.

Claim Rejections - 35 U.S.C. § 102

Claims 21-30 were rejected under 35 USC 102(b) as being anticipated by Bailey (USPN 1,272,761). The Examiner's opinion concerning claim 21 is respectfully traversed. In the Examiner's opinion Bailey discloses all the technical features of claim 21, as well as all the technical features of the other claims. Applicant respectfully submits that Bailey does not disclose the following features:

- a deformable element, included in the motion-transmission unit directly in engagement with the first and second movable plates to transfer the motion to the second wheel in an alternate manner;
- a deformable body, included in the means for synchronizing motion of the first and second plate, which is movable on the fixed structure emerging away from the upper surface of the base frame, and is in engagement at its opposite ends with the first and second movable plate.

Bailey discloses only one deformable element, which is the endless cable 56; the latter is employed to both synchronize the motion of the two plates and to transfer the motion to the rear wheels. Furthermore, the endless cable 56, for its own nature, does not present opposite ends for engagement with the movable plates.

By contrast, claim 21 as amended comprises the aforementioned technical features. Therefore, amended claim 21 is new with respect to Bailey.

No other cited prior art document shows all the technical features of amended claim 21. Thus amended claim 21 is new over the prior art of record.

It is to be noted that neither Bailey nor any other piece of prior art of record suggests or gives any hints to modify the vehicle disclosed by Bailey in order to obtain the combination of technical features claimed in amended claim 21. Therefore amended claim 21 is clearly non-obvious in view of the prior art of record.

Moreover, Bailey does not show or disclose all the technical features of amended claim 29. Indeed Bailey does not disclose that the first and second plate define respective actuating surfaces which are shiftable by a rider with a reciprocating motion. By contrast, Bailey shows and discloses plates which are pivoted to the frame structure of the vehicle and are mutually rotatably movable (see figure 1, pivot pin 28). Therefore amended claim 29 is new over Bailey.

It is to be noted that also the other cited prior art documents fail to disclose the above specified technical features included in amended claim 29. Thus amended claim 29 is new with respect to the prior art of record.

Moreover neither Bailey nor any other piece of prior art of record suggests or gives any hints to modify the vehicle disclosed by Bailey in order to obtain the combination of technical features claimed in amended claim 29. Therefore amended claim 29 is clearly non-obvious in view of the prior art of record.

Dependent claims 22-26 depend on allowable amended claim 21 and are allowable as depending from an allowable base claim. Dependent claim 30 depends on allowable claim 29 and is also allowable as depending from an allowable base claim.

With regard to the Information Disclosure Statement submitted with the application, the four foreign references were supposed to have been sent by the IB to the USPTO, but they must have gotten lost or been misplaced. So that the Examiner can consider these references, applicant is resubmitting and attaching hereto the Form PTO-1449 previously sent, along

with the four foreign references and English Abstracts of references DE 4343723, FR 678505 and CH 650458. Applicant requests that the Examiner return an initialed copy of the Form PTO-1449 with the next communication.

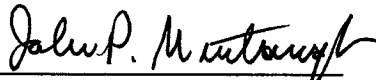
CONCLUSION

All matters having been addressed above and in view of the pending claims and remarks, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Applicants' counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

If any additional fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. BUG-38327.

Respectfully Submitted,
PEARNE & GORDON LLP

By 
John P. Murtaugh, Reg. No. 34226

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: October 26, 2007